



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,819	10/20/2003	Yasushi Shikata	03560.003386.	2635
5514 7590 03/18/2009 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
THOMAS, JASON M				
ART UNIT		PAPER NUMBER		
2423				
MAIL DATE		DELIVERY MODE		
03/18/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,819

Applicant(s)

SHIKATA ET AL.

Examiner

Jason Thomas

Art Unit

2423

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/687,819.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 3-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1 and 3-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry Yamamoto, U.S. 7,302,696 B1 (hereinafter Yamamoto), in view of Edward Gregory, U.S. Patent No. 5909,673 (hereinafter Gregory), Bentolila et al., U.S. 2003/0101451 A1 (hereinafter Bentolila), Nishi et al., WO 01/65852 A1 (citations rely on U.S. 2003/0023968 A1 - hereinafter Nishi) and Holman, U.S. Patent No. 5,285,278 (hereinafter Holman).

Regarding claims 1, 12 and 13-18: Yamamoto teaches a signal processing apparatus comprising: a receiver for receiving data comprising print contents (see [abstract], [col. 2, ll. 24-38], [col. 3, ll. 15-26] for a receiver which receives data comprising printable contents) transmitted from a sender so as to be simultaneously receivable by a plurality of receivers (see [col. 2, ll. 13-24],

[col. 7, ll. 1-12] where coupon data is broadcasted on a channel accessible by a plurality of users); and a processor for outputting, to a printer, print data in accordance with both of the data received by the receiver and user information of a user of the signal processing apparatus (see [col. 8, ll. 11-27] where a set top box which is connected to a set top box printer inherently has a processor for outputting to a printer; see also [fig. 17], [cols. 10-11, ll. 59-8] for print data that is in accordance with coupon data and user information).

Yamamoto also teaches wherein the data received by the receiver comprises a plurality of print contents (first data); wherein the processor automatically selects one of the plurality of print contents in accordance with the user information, and obtains the print data from the selected print content (see [cols. 10-11, ll. 59-28] where the print contents received from a remote location can all be stored on the local set top box and selected in the same manner from that local location using user-related data to correlate which print content best matches the user); and wherein: the user information comprises a location where the user is viewing a program, and the processor selects one of the plurality of print contents in accordance with the location; the user information comprises information identifying the user, and the processor selects one of the plurality of print contents in accordance with the information identifying the user; and the user information comprises information identifying a television set used by the user, and the processor selects one of the plurality of print contents in accordance with the information identifying the television set (see [col. 4, ll. 3-20],

[cols. 10-11, ll. 59-28] correlation using user-related data which is used for correlating containing a location of where the user is viewing, identification of the user, and information identifying a television set).

Yamamoto however does not explicitly teach the concept of sub-print contents; the user information comprising a time at which the user started watching a program; or the user information comprising a cumulative viewing time of the user for the purpose of correlating coupons with user data.

Gregory teaches a means of printing site specific coupons using print contents and sub-print contents (second data) where the sub-print contents are added prior to printing upon determining how to best customize the coupon to modify it for a particular use (see [col. 3, ll. 57-67], [col. 7, ll. 1-31] where information like the discount amount, expiration date, particular product, valid hours and dates are examples of some of the sub-print contents which can be loaded into storage and later combined as needed to modify the print contents).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the print contents by using print content templates which can be customized for a specific use by also providing sub-print contents which can be inserted prior to printing to fit a particular use as taught by Gregory in order to respond quickly to unique marketing conditions and tailor the coupons to target the needs of a particular type of customer, location or market.

Bentolila teaches a system for targeting data which collects viewing to describe the preference or habits of a viewer which include recording a time when the user started watching a program (see [26], [27], [105]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the type of user related data which is collected, as taught in Yamamoto, by including data which tracks a time when a user started watching a program as taught by Bentolila in order to identify which advertiser or content providers the viewer may be interested in (see [105]).

Nishi teaches tracking the viewing history of viewers to determine how to credit the viewer based on the amount of time/points the viewer has accumulated (see [abstract], [fig. 4], [fig. 7], [2], [59] where a coupon discount is automatically selected based on a rank which is determined based on the accumulation of viewing time).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the type of user related data which is collected or coupon selected, as taught in Yamamoto, by tracking the cumulative viewing time of a viewer and selecting a coupon most appropriate based on said viewer's cumulative viewing time, as taught by Nishi, in order to reward viewers according to their interest in particular content.

While the combined teachings of Yamamoto, Gregory, Bentolila and Nishi teach methods and systems for receiving, processing and printing data they do not explicitly teach a device composed of circuits to perform said functions.

Holman teaches hardware composed of circuits for receiving and printing physical coupon print data (see [abstract], [fig. 2], [fig. 3]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system designed to receive coupons by including independent circuits for receiving and printing as taught by Holman in order to provide dedicated circuitry for performing the task of receiving and printing the coupon data.

Regarding claim 3: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach a signal processing apparatus wherein the data transmitted so as to be simultaneously receivable by the plurality of receivers includes data for use in sequentially generating stimuli perceptible by a user via a perception device (see Yamamoto [col. 7, ll. 1-26] for broadcast television and for displaying video on a TV set).

Regarding claim 4: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach a signal processing apparatus wherein the processor includes at least a means for outputting, to the outside of the signal processing apparatus, a signal for requesting the print data or data from which the print data is obtainable, in accordance with data transmitted so as to be simultaneously receivable by the plurality of receivers and in accordance with information associated with a user of the signal processing apparatus (Holman see [fig. 2, 42], [fig. 3, 42] for a circuit for outputting to cut out coupons; see also [fig. 5], [col. 3, ll. 14-26], [claim 28] for a receiving circuit which receives

a broadcast television signal broadcast for a plurality of receivers with embedded print data to be printed).

Regarding claim 5: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach wherein the user includes information regarding behavioral history of the user (see Nishi [abstract], [fig. 4], [fig. 7], [2], [59] for recording the viewing time).

Regarding claim 6: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach wherein a signal processing apparatus is further capable of indicating times at or for which the user perceived the stimuli generated on the basis of the data (see Nishi [abstract], [fig. 4], [fig. 7], [2], [59] where viewing history is recorded and used to monitor the user's behavior).

Regarding claim 7: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach a signal processing apparatus wherein the user information includes at least information indicating a property of the user (see Yamamoto [cols. 10-11, ll. 59-28] for user information such as the address stored in the signal processing apparatus).

Regarding claim 8: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach wherein the user information includes at least identification information for identifying the signal processing apparatus (see Yamamoto [cols. 10-11, ll. 59-28] for an identifier which identifies the set top box).

Regarding claim 9: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach wherein the user information is acquired on the basis of data received by the receiving circuit (see Yamamoto [fig. 17], [col. 10, ll. 59-61] where the user-related information is obtained from a device external to the set top device; see also Bentolila [27] [claim 12] for storing user data at a central data system).

Regarding claim 10: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach a perception apparatus comprising a perception device and a signal processing apparatus wherein the data is transmitted so as to be simultaneously receivable by the plurality of receivers includes at least data for use in sequentially generating stimuli perceptible by a user via the perception apparatus (see Holman [fig. 5], [col. 3, ll. 14-26], [claim 28] for a receiving circuit which receives a broadcast television signal broadcast for a plurality of receivers with embedded print data to be printed; see also [col. 11, ll. 18-20] for video and a TV monitor).

Regarding claim 11: The combined teachings of Yamamoto, in view of Gregory, Bentolila, Nishi and Holman, teach a printing apparatus comprising a signal processing apparatus and a printer for printing in accordance with the print data output from the processing circuit (see Holman [fig. 2, 42], [fig. 3, 42] for a circuit for outputting to cut out coupons).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Thomas whose telephone number is (571) 270-5080. The examiner can normally be reached on Mon. - Thurs., 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J. Thomas

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423